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# CRIMES AND PUNISHMENT

NO1



## MURDER WITHOUT A MOTIVE

WHY? WHY? WHY? John Linley Frazier, shaved on one side of his head, killed five people for no reason at all. His lawyer told of his paranoid, schizophrenic behaviour. But psychiatrists say people who murder without motive often kill just to prove they are important. This new key to the minds of these men may well be a major step forward...

★ CRIMEBUSTERS: FBI... PLUS THE ROGUES GALLERY ★

# CRIMES AND PUNISHMENT

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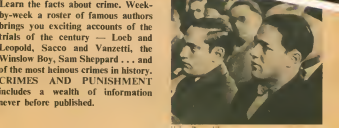
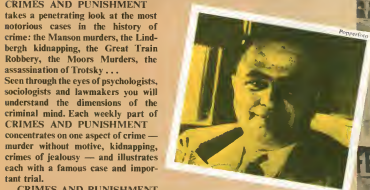
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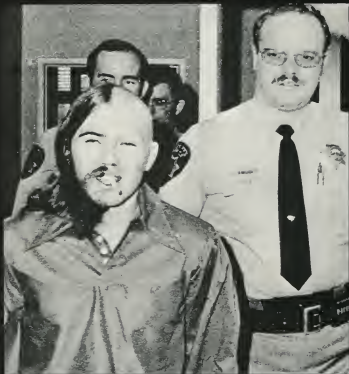


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# MURDER WITHOUT A MOTIVE



**WHY? WHY? WHY?** John Linley Frazier, shaved on one side of his head, killed five people for no reason at all. His lawyer told of his paranoid, schizophrenic behaviour. But psychiatrists say people who murder without motive often kill just to prove they are important. This new key to the minds of these men may well be a major step forward . . .

A YELLOW Chevrolet cruises slowly down the street in a quiet Los Angeles suburb. As it passes a lawn on which a four-year-old girl is playing, it slows down. A man leans out of the rear window, and blasts her with a shotgun. A few moments later the child, Joyce Ann Huff, dies in the arms of her sobbing mother. Later, three men are charged with the murder; the one who fired the shot has a long police record. But no motive. Police describe it as a "thrill killing", like deer stalking or shooting partridge.

In the wilds of Montana, a man dressed as a cowboy rides his horse along a quiet country road. A stranger stops his car to ask him the way. The "cowboy" pulls out his six-shooter, and shoots him through the head; then he rides on. He is living out a fantasy of being part of the old Wild West.

A bachelor named Norman Smith sits watching TV in a caravan in Florida; the

programme is called "The Sniper", about a man with a psychopathic hatred of women. When it is over, Smith takes his revolver, walks along the road until he finds a lighted window, and a woman watching her television, and shoots her. Smith did not know the woman he killed—Mrs. Hazel Woodard—neither did she know him.

In Cuba, New Mexico, a jeep stops near a woman who stands talking to a neighbour, while two children play nearby. The bearded driver raises his rifle, and shoots the children. Then he drives away, leaving one child dead and the other dying. Trapped by a posse a few hours later, he explains that he had a sudden impulse to do something about the population explosion. They ask if he knew that the mother of one of the dead children had ten other children; he shrugs, and admits that he had never seen any of them before.

In recent years, "motiveless murder" has become the most typical, and perhaps the most frightening, crime of our time. This is particularly true of the United States, where it has reached epidemic proportions.

Psychologists and criminologists seem

**THE DOMINATOR . . .** Hitler chose women like Eva Braun (right) and Geli Raubal so they would worship him.

baflled by the nature of such crimes. How can one analyze the motive of a motiveless murder? It is easy to talk about a "generalized resentment against society", but that explains hardly anything. The anarchists of the 1890's had plenty of resentment about society; but they murdered kings and presidents. What can one say of a man who murders perfectly ordinary, innocent people? That he is insane? This explanation fits only a tiny percentage of 'motiveless' killers. The rest are quite definitely sane in the legal sense.

This is an area in which—in the 1960's—a new theory was developed by A. E. Van Vogt which provides some vital clues. Van Vogt is best known as an American writer of science fiction. He is also a brilliant and unorthodox psychologist. There are many psychologists now who believe that his theory about violent men could be one of the most important breakthroughs since Sigmund Freud "discovered" the unconscious.

Studying newspaper reports of divorce cases, Van Vogt noted an interesting pattern. Many husbands seemed inclined to make unreasonable and almost incredible demands on their wives, and to treat them like slaves. A basic characteristic of such husbands was that *they would never admit they were ever in the*



wrong. If the facts were obviously against them, such men would fly into a rage, punch or beat the wife—and sometimes the children—and end by establishing, to their own satisfaction, that they were right all the time. Van Vogt calls such a man the "right man".

He cites a typical case of a "right man". When a nurse was about to get married, she thought it only fair to tell her husband that she was not a virgin; in fact, she had had affairs with two doctors. The husband-to-be flew into an almost insane frenzy of jealousy, and she thought that was the end of their relation. But the next day, he brought her a document to sign. He would not allow her to read it—he just insisted that, if they were still to get married, she had to sign it. She did so.

#### Affairs suspected

During their marriage, she was treated as an object. Her husband's job involved much travelling, and she soon came to suspect that he was having affairs with other women. If she ever complained that he stayed away for weeks at a time, he flew into a rage. On the other hand, he was intensely suspicious of his wife, and likely to lose his temper and knock her down at the least provocation.

He would usually be apologetic the next day—but that wouldn't stop him from repeating his "violence pattern" a couple of days later. Any triviality was enough to set off storms of shouting. Finally, the wife could no longer stand it, and insisted upon a divorce. The husband agreed to this and then set her up in a suburban home—on condition that she did not remarry, and would devote her life to being an ideal mother to their young son.

Van Vogt believes that the paper she signed declared that she admitted to being little more than a whore, and had absolutely no rights as a married woman. If necessary, the husband might produce this paper in court. . . . It sounds as if such a man must be close to the verge of insanity, or at least, nervous breakdown. But this proved to be untrue. Many similar husbands were successful businessmen, held in high esteem by their associates, and regarded as "decent sorts". It was only their wives—and families—who brought out the element of the tyrant in them.

Van Vogt made an extremely interesting observation about "right men". They often desert their wives. But, if by some odd chance, the wife deserts them, the result is a severe mental shock. They may go grovelling, begging her to return. If she refuses, they can experience a severe

depression that could end in death. Each of the husbands has built a fantasy world on the idea of himself as a kind of monarch, an absolute ruler, within his own household. If this fantasy collapses, it is like removing his linchpin; he disintegrates. But why should that be so?

At this point, it becomes clear that the violent man (an alternative name for the "right man") has built an entire structure of self-esteem on his domination of his wife. In that one respect, he feels a little god. Most people build their self-esteem on certain achievements, or relationships, or even objects (the family car, the greenhouse, the colour TV).

The nineteenth-century Russian writer Nikolai Gogol has a story called *The Overcoat* in which a humble, rather depressed little clerk gains self-esteem from a new overcoat, and goes insane when it is stolen. Most people have a number of foundations for their self-esteem, so that if one collapses, the damage is not too difficult to repair. The "right man" is tempted to build everything on one single plank; if it collapses, he feels he is a nobody.

Van Vogt made the interesting comment that he was convinced that many famous dictators have been, or are, "right men"—including Hitler, Stalin, and Mao Tse Tung. Hitler's sexual relations certainly seem to confirm this. He chose girls—like

Geli Raubal and Eva Braun—who were quiet, domesticated types whose chief function was to adore him. When Geli Raubal committed suicide—to escape his domination—Hitler himself came close to suicide.

When the "right man" gains a position of power, it is a poor lookout for his country. Totally incapable of self-discipline—completely "spoilt", like an overindulged child—he always blames his own shortcomings on others. At the least suspicion of opposition, he flies into a paranoid rage and the heads roll.

#### Executions ordered

It is such displays of emotion which forge the connection between the "right man" and motiveless murder. To begin with, it stresses that men who have become the victims of their own power must often order executions on the most inadequate grounds. And they need not even be in a rage. In 1861, for example, the English explorer John Hanning Speke was in Africa, hunting for the source of the Nile; in February of the following year he was the guest of the young King Mutesa of Uganda. He presented the King with various guns. The King asked for a demonstration of their power, and sent for four cows—which Speke shot.

The King was delighted. He handed a



**THE TYRANT . . .** Ugandan King Mutesa found power in the guns brought to him by bearded British explorer John Speke. For they killed men.



carbine to an urchin standing nearby. "See if it will kill a man," he ordered. The boy ran into an outer courtyard: there was a crash, and he came running back, grinning delightedly. "Did it work?" asked the monarch. "Oh yes!" came the reply. He had been supplied with weapons which did not belittle his status, and he demanded no more—and no less.

In primitive societies, the king was often an absolute ruler, who commanded the power of life and death. He regarded this as his absolute right. Ivan the Terrible, Czar of Russia in the sixteenth century, would have courtiers tortured or executed for some minor breach of etiquette, which he felt reflected on his dignity.

#### Thousands tortured

When the "free city" of Novgorod refused to recognize his sovereignty, he spent five weeks torturing to death its inhabitants, at the rate of thousands a day. He often had children tortured in front of their mothers—and then the mothers were roasted alive. When most of the inhabitants of Wenden, in Livonia, blew themselves up in a castle rather than fall into his hands, he rounded up every remaining inhabitant of the town and tortured them to death. Ivan was a supreme example of a violent man.

But he was not insane, nor were the many other tyrants of history. There is a touch of the "right man" in everybody. Everybody gets angry with people who oppose and frustrate them; everybody would like to see such people forced to apologize abjectly. In our fantasies, we are all tyrants sometimes. And, from the point of view of human evolution, it is a good thing we are. The will to power is as important to evolution as the sexual urge. A man with a strong will to power is likely to make a good father and provider. And although tyrants like Ivan the Terrible and Stalin may have been bad for their victims, they were very good for the country as a whole, binding it into unity.

Even the sexual urge is built on the will to power. The male desire to enter strange female bodies is a dominance urge—and, when a man and a woman are ideally suited to one another, it is because in the sexual act, the man enjoys playing his dominant role and the woman enjoys playing her submissive role. The key word here is *playing*. Sensible people are flexible and adjustable. They do not take the power game too seriously. They don't want to achieve self-esteem at too cheap a price; they are realistic enough to prefer real achievement to the feeling of power

that comes from bullying and exercising petty or domestic authority.

In a hierarchy of values, the need for self-esteem comes above the need for sex (and love). When a man has got a secure sexual background, he starts to want the respect and admiration of society, to feel himself a "somebody". At the present moment, Western society has evolved to the self-esteem level. This means that more murderers than ever before are motivated by the need for self-esteem.

At the same time, there is more general prosperity now than at any time in history. A few centuries ago, it was only the rich and powerful who had the time or the freedom to indulge their will to power. Nowadays there are millions of people in Europe and America who are, relatively speaking, as well-off as the Ugandan King Mutesa, living in comfortable homes, with money enough to buy a great deal of consideration from society. In these circumstances, the "spoiltness" that is the chief characteristic of the "right man" has plenty of room to develop. At first sight, there may not seem to be much in common between King Mutesa and the Chicago thrill killers, Leopold and Loeb. But psychologically speaking, there is a

very close resemblance.

The "right man" is wrapped up in himself; in an odd way, he doesn't really believe that other people are real. So he feels no conscience about treating them as mere objects. Norman Smith, living alone in his caravan in Florida, was almost certainly a "right man". But, living alone, he had no one on whom he could impose his will to power. Watching the television programme on the sniper suddenly showed him the way to express it. He could take his revolver, shoot somebody through a window (preferably a woman, so sexual dominance is also involved)—and then, as he came home afterwards, he would feel he was *somebody*.

#### Shooting a stranger

The same pattern can be seen in all the major cases of "motiveless murder". Ian Brady, the British Moors murderer, told his henchman David Smith that he had committed at least one motiveless killing: that he had stopped his car in a dark street, got out, shot a stranger who was walking along the pavement, then driven off. This was probably fantasy: the police have no record of such a shooting. But it shows the pattern of Brady's thinking.



**HURT PRIDE** and jealousy were partly behind the murders. The bearded Manson and his family were jailed.

Ed Sanders' book on the Charles Manson crimes, *The Family*, makes it clear that Manson developed all the characteristics of a "right man" in the two years before his arrest: the need for absolute, total authority over his followers; the wild rages if anyone expressed doubt; the blinding, manic resentments against anyone who had humiliated him.

At the time Manson's "family" had embarked on its career of slaughter in Los Angeles, another killer in San Francisco was engaged in a series of motiveless murders. The man who is called "the Zodiac killer" has never been caught. In December 1968, two teenagers sitting in a station wagon were shot dead.

In July 1969, a man pulled up alongside another couple on the Columbia parkway. He got out of his car, shot them both, then phoned the police, telling them he had also murdered "those kids last year". The shot man, Michael Mageau, survived, and confirmed that the killer had shot at him and his girl friend and then walked away. It was after this that San Francisco newspapers began receiving letters signed with the astrological sign of the zodiac, and boasting that the writer would commit more murders.

In September 1969, the killer tied up a couple, then stabbed them both repeatedly; again, the man survived. Two weeks later, the man called Zodiac shot a taxi driver in the back of the head, and strode off, again there was no motive.

#### Bodies in the pool

On October 19, 1970, not long after the Manson trial had started, the home of a wealthy California eye surgeon was seen to be on fire. In the swimming pool, firemen discovered five corpses: that of the eye surgeon, Victor Ohta, his wife, their two children, and his secretary.

A note found in the doctor's car declared that "World War Three" had begun, it was signed with names taken from the Tarot cards. The murderer's fingerprints on the car, and on a beer can, led the police to John Linley Frazier, 24, a car mechanic and hippy, separated from his wife.

The evidence showed that Frazier had planned the murders some days in advance, had found Mrs. Ohta alone, and "executed" her by shooting her in the back of the head. Later, when the secretary, the children, and the doctor returned, he "executed" them in the same manner.

England's first case of motiveless murder came to light in November 1971, when the police arrested 24-year-old Graham Young, and charged him with the poison-murders of two workmates, and the attempted murder of two more. It was only after he had been sentenced to life imprisonment that newspapers were able to reveal that at the age of 14, Young

This is the Zodiac speaking  
Like I have always said  
I on crack proof. If the  
Blue Meannies are eueve  
going to catch me, they had  
best get off their fat asses  
& do something. Because she  
longer they fiddle & fart  
around, the more slaves  
I will collect for my after  
life. I do have to give them  
credit for stumbling across.  
my river-side activity, but  
they are only finding the  
easy ones, there are a hell  
of a lot more down there.  
The reason slow I'm writing  
to the Times is this, They  
cant know me on the back porch  
like some of the others.  
SFPP-0      ⊕ -17+

**THE THREAT . . .** A letter from the Zodiac to the Los Angeles Times. The Zodiac has never been caught and his motives are a mystery.

had been charged with poisoning several members of his family, one of whom—his stepmother—died. The schoolboy-chemist was an admirer of the "great poisoners". He was sent to Broadmoor, the institution for the criminally insane.

In the book *Obsessive Poisoner* by Young's sister, the usual typical "motiveless murder" pattern emerges. He had a craving to be known, to be famous; he regarded himself as highly intelligent, and felt he had no proper outlet in his working class background.

The admirer of Hitler, the man who referred to himself as "your friendly neighbourhood Frankenstein", began to toy with the idea of committing murder with an almost unknown poison, thallium.

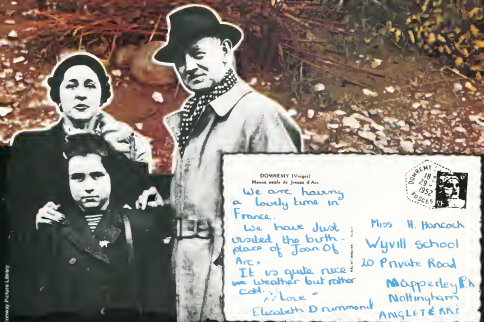
Observers at his trial noted an odd thing: he seemed to be basking in the limelight, almost as if it was worth a life-time in jail to be recognized as one of the company of the great poisoners.

Van Vogt's "right man" theory could be a turning point in criminological science. It provides a new key to the psychology of men like Manson, Frazier, and Graham Young. Whether it can help to prevent motiveless murders is another matter; but to understand why they happen will be a major step towards it.

# THE DOMINICI CASE



**FIRST HE CONFESSED.** Then old Gaston Dominici (left) denied murdering the Drummond family (right). But if he was guilty, what was his motive? Why did he beat little Elizabeth Drummond to death—only a few days after she wrote to friends about her happy holiday? The world will never know. But villagers in Digne remember. They still leave flowers (above) at the place of death.





**"MERE CHANCE"**  
French peasant justice as Gaston Dominici (top) lorded it over his sons Gustave (centre) and Cloris (above). These were no honest simple country folk... they were a conspiring and feuding family. They screamed accusations and abuse at each other over what happened in the shadow of La Grande Terre. But whatever the truth, the choice of a camp site (right) on Dominici's land was a fatal mistake for the Drummond family...



As dusk began to settle, the long shadows made the barren mountains of Upper Provence seem even more than usually forbidding and inhospitable. It was not one of the more colourful areas of France, and the three occupants of the green English Hillman station wagon, NNK686, rolling along the valley road below the foothills, were looking forward to rejoining their holiday friends on the Mediterranean coast farther south.

They would not be able to make it that night, however, and their immediate concern was to find a suitable site where they could set up camp and sleep until morning. They were well prepared. Camp beds, cooking pots, even a powerful portable electric lamp, were all packed neatly in the back of the car. All that was needed was a sufficiently secluded roadside spot—and in the drab, scrubland valley that was not easy to come by.

Then, just before eight on that evening of Monday, August 4, 1952, they finally spotted a site that looked as inviting as any they were likely to find. It was a flat patch of grass right by the roadside, sheltered by a mulberry tree that would provide welcoming shade from the next morning's sun. Just across from the camping site stretched a single railway track, and beyond that flowed the River Durance.

Ahead of the site and also right by the road was a small peasant farm—a house with a low sloping roof surrounded by out-buildings. To the travellers its presence seemed ideal, for apart from the comfort of there being some company in such a desolate place, the farm would be able to provide fresh water for washing—and particularly for that absolute necessity, the English morning cup of tea.

#### "MERE CHANCE"

So, satisfied with their choice of stopping place, the three English travellers—Sir Jack Drummond, his wife, Anne, and their 10-year-old daughter, Elizabeth—began to set up camp. It was, in every sense, to be their last resting place. Sometime during the night that followed each would be brutally and pointlessly murdered.

It was mere chance and not deliberate design which had brought them to that particular valley. On Sunday, July 27, they had crossed to France by ferry to drive down to Villefranche, on the Mediterranean coast, to stay with a scientist friend of Sir Jack's. An eminent biochemist, his work as scientific adviser on dietary to the wartime Ministry of Food had helped the British people to maintain their health on meagre rations and sub-standard food. Just before World War II he wrote a book on diets in collaboration with an attractive, dark-haired girl named Anne Wilbraham, and in 1940 they married. He was knighted four years later,



and by the time of the fateful holiday night, he was 61 and Lady Drummond was 46.

Dusk gave way to bright moonlight as the Drummonds brought out their camp beds and began to make themselves comfortable. At about nine o'clock Lady Drummond and Elizabeth walked southwards along the N96 to the nearby farm to fill their canvas water bucket. A high wall enclosed the dingy, yellow farmhouse and its inner courtyard of rough ground. Its whole aspect spoke of poor, inefficient husbandry. And a touch of irony was added to the seediness of the farm by the name it bore, *La Grande Terre*—the great estate.

#### "I've found a body!"

What sort of reception Lady Drummond and her daughter received is not known—it is not even certain that they were provided with the fresh water they sought. But eventually the small family settled down for the night in their camp.

Just before six the following morning a motorcyclist, returning from night-shift work in a nearby town, was stopped by a man running on to the N96 near *La Grande Terre* and waving his arms. "I've just found a body," he shouted. "There

may be some others dead. Fetch the police!"

The motorcyclist sped on across the valley, duly delivered the report and an hour later two gendarmes toiled up to the farm on their pedal cycles. Waiting for them was the man who had raised the alarm, Gustave Dominici, 33-year-old son of the Dominici family who owned *La Grande Terre*.

Gesticulating and urging them on, Dominici led the way down a narrow path beside the mulberry tree and the parked Hillman car, then across a bridge spanning the railway. Just beyond the bridge and close to the river bank he pointed to a body.

It was little Elizabeth Drummond. She lay on her back, dressed in her pyjamas, her head broken open by two gaping wounds and blood streaking her face. Where had she come from? The police wanted to know. Dominici pointed towards the camping site and the two gendarmes pedalled rapidly back over the bridge. Beside the station wagon they found the body of Lady Drummond. She had been shot. Thoroughly alarmed, the policemen searched quickly through the camp and then, on the other side of the N96, they saw a camp bed which looked



**HANDCUFFS** and a heavy police guard before the reality behind the seemingly harmless old man leaving court (top) and (right) watching lawyers inspect a car similar to the Drummonds' Hillman. Above, police examine Mrs. Drummond's body before issuing "shoot to kill" orders as the murder hunt starts and (above, centre) handle the murder weapon without first having it checked for fingerprints. Above, extreme right, Yvette, wife of Gustave Dominici, with her baby and sister-in-law, Gustave aroused police suspicions with his story of hearing shots in the night and finding the bodies at dawn.

as though it had been thrown away. They hurried across, pulled the bed aside and there, in the roadside dirt, was Sir Jack Drummond. He, too, was dead from gunshot wounds.

The policemen identified the victims from a suitcase in the station wagon marked: "Sir Jack Drummond, Spencer House, Nuthall, Nottingham". So far as they could see robbery had not been the motive. For although the contents of the station wagon had been ransacked, a 5000-franc note lay plainly visible. These two discoveries were the only useful pieces of work by the two gendarmes—and their most disastrous error was to make no attempt to protect the murder scene and keep sightseers away. Within half-an-hour dozens of people, some from the neighbouring town of Lurs, were tramping all over the site, picking up "souvenirs" and churning up the dust. Thus any telltale footprints there might have been were speedily obliterated.

A second serious blunder was the failure of the local police chiefs to impress their higher authorities with the seriousness of the crime. It was not until after

five that afternoon, August 5, that a senior investigator, Inspector Edmond Sébille, of the Marseilles Flying Squad, arrived at the death spot. He was a persevering detective with a notable record behind him. But few senior policemen have ever begun an inquiry with so much potential evidence destroyed by such unprofessional negligence.

#### Shots at night

There were three facts, however, which Sébille established from information given to him by a doctor who had been sent to the scene. Firstly, Lady Drummond had been killed by three bullets in the area of the heart, apparently fired as she lay sleeping or preparing for sleep. Secondly, Sir Jack, it seemed, had been wounded by one bullet, which penetrated his liver, and had then staggered away across the road where his assailant dispatched him with a second shot. Thirdly, and of great significance, Elizabeth had died much later than her parents.

Although her body was found so far away, and at the end of a rough, stony path, her bare feet bore no scratches or



Central Pass

other marks. It looked, therefore, as though she had been carried across the railway bridge.

There was no sign of any murder weapon, and Inspector Sébille ordered an immediate search to be made. Two spent cartridges and two others, unused, were found on the ground near the camp. Then, as darkness was closing in, one of Sébille's colleagues discovered a fragment of rifle butt floating in the river. Delving deeper, he dredged up an American army "Rock-Ola" carbine engraved with the number 1702846.

The two unused cartridges were tried in the gun and fitted perfectly. But, hav-

ing satisfied himself on that point, Sébille made a mistake as amateurish as those of the first two gendarmes. He allowed the gun to be passed from hand to hand among the crowd of policemen, until any original fingerprints there might have been were completely wiped away.

It was to Gustave Dominici that Sébille turned first in his inquiries. Gustave lived at *La Grande Terre* with his wife, Yvette, his young child and his parents. His father, 75-year-old Gaston Dominici, had bought the farm in 1932, and eventually transferred the ownership formally to his son. However, the old man continued in the role of patriarch, a coarse, hard-drinking, dominant personality, lordling it over the others and his tiny shrivelled wife, Marie, to whom he referred contemptuously as "the old sardine".

The Dominici clan were far from being the simple, warmhearted peasants as seen in Fernand movies. Gustave and Gaston, at least, were secretive, cunning and suspicious of strangers—traits which had probably been brought to fruition during the wartime German occupation.



Central Pass

Within the family there were frequent quarrels, and there seemed little evidence of lasting human affection behind the walls of the rickety farmhouse.

The story that Gustave told to Inspector Sébille was this: He was awakened at about one in the morning by the sound of shots which appeared to come from the direction of the Drummonds' camp. He was too frightened to investigate, and lay awake until 5.30 a.m.—his usual time for getting up. He then left the farm, passed the camp and crossed the railway bridge to see if a recent landslide near the river had worsened during the night. On his way he discovered the





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body of Elizabeth. Sébille had no doubt that Gustave was holding back much of the truth. Why, for instance, had he made no attempt, after finding Elizabeth's body, to see if her parents were safe? He knew "the English" were camping by the very path he took to the railway bridge. And the motorcyclist who called the police had said he saw Gustave walk out from behind the Drummonds' car—where he could not have failed to see Lady Drummond's body.

When this was put to him Gustave suddenly amended his story. "Ah, yes, now I remember," he said. "After seeing the body of the little girl I realized the other two English people had been killed. That is why I became frightened . . . Everything became confused in my mind."

Sébille looked at the dark and muscular peasant with disbelieving eyes. He told him he could leave and soon a more important version of Gustave's story reached him. Gustave, it appeared, had told a local man: "When I saw the body of the young girl she moved her left arm and I think she groaned."

If that was true it added vital new evidence as to the time of Elizabeth's death. Certainly she had not died at around one o'clock when Gustave was "frightened" by the sound of shots—the doctor had already made that clear. So,

if she moved when Gustave saw her, she must have been bludgeoned at about 5.30. And if she really had moved why had Gustave told the motorcyclist he had just found "a body"? Why had he made no attempt to send for a doctor and tried to save the girl's life—if he thought she was not yet dead?

#### Dramatic disclosure

To Sébille the answers added up against Gustave Dominici. On October 16 he was arrested on suspicion and brought to trial in Digne three weeks later on a charge of "failing to give assistance to a person in mortal peril". The case for the prosecution was far from watertight, and Inspector Sébille began to feel the full impact of the strange solidarity of the valley. No one there was willing to talk.

In the end, Gustave was sentenced to two months' imprisonment. But since he had already spent that time in custody, he was released and returned home—where he and his relatives went on tending their goats and working their field of lucerne.

Fifteen months passed, and it looked as though the appalling murders would never be solved. Then a flurry of activity centred upon the Palace of Justice in Digne. Gustave Dominici and his elder brother, Clovis, arrived in police cars and spent



one whole night and most of the following day talking to Sébille and other detectives. There were only short breaks for meals, and word spread that a dramatic disclosure was about to be made.

At 6 p.m. on the second day the excitement and the rumours swelled when another police car arrived and out stepped old Gaston Dominici. At 11 p.m. one of Sébille's colleagues came out into the street and, with studied drama, announced to the crowd of eagerly waiting reporters:

"Gustave Dominici has just confessed that the triple murder was committed by his father, Gaston. His brother, Clovis, has confirmed that accusation."

That was sensation enough. But the next day brought even more extraordinary news. During the night, and after the accusation by his sons, Gaston had made his own confession. He had told one of the gendarmes, who encouraged him to shut away as though the two of them were sitting around a farmhouse fire with a litre of red wine passing between them. Gradually Gaston unloosened and talked, with a mixture of arrogance and self-pity, about his skill as a hunter and his unhappy married life with the "old sardine".

Finally the gendarme brought the talk around to the murders. "Perhaps it was an accident," he said soothingly, and Gaston snatched at the bait. "Yes, that's it," he cried. "It was an accident! They thought I was a prowler and I shot. I had gone in the night to look at the landslide and I took the carbine with me quite by chance!"

For the next two hours he poured out his story—containing erotic details which showed the police another and nauseating side of the flirty, semiliterate old peasant. He was concerned about the landslide, he said, but as he was passing the Drummonds' camp he saw Lady Drummond undressing. This so excited him that he

crept towards her and made "enticing" gestures.

As he was approaching Lady Drummond, Sir Jack appeared and Dominici fired at both husband and wife. "It was a crime of love," he explained. Screaming with terror, young Elizabeth then ran towards the river. Dominici pursued her and, since he had no time to reload his gun, beat her down with the butt end.

#### Family conference

Back at the farm (his story continued) he met Gustave who had been awakened by the shots and screams. "I have killed the English," Gaston said. "Keep quiet and no one will know." Gustave went out and looked at the bodies. He saw that Elizabeth was losing her hold on life and accordingly left her to die.

Early next morning the eldest son, Clovis, who lived and worked in another village, arrived at the farm on a routine visit. A family conference was then held at which all the Dominicis agreed to tell the same story. That story would be that at dawn Gustave had found the bodies of the English, murdered by an unknown hand.

The next day the police followed the

traditional French practice of reconstructing the crime at the scene. The Drummonds' Hillman car was put back on the camping site and Lady Drummond's camp bed set in position. With carbine in hand Gaston Dominici crept towards the camp and performed the pantomime of shooting Sir Jack and then Lady Drummond.

Snatching up the second camp bed he hurried across the road, went through the motions of firing a second shot, and flung the bed down to cover the imaginary body of Sir Jack. That done he resumed the pursuit of little Elizabeth. At a pace that astonished the watching policemen he charged along the gravel path towards the railway bridge. Suddenly, as he reached the bridge, he leapt for the parapet and threw one leg over. "He's going to jump!" shouted one of the gendarmes, seizing him by the hem of his overcoat and preventing him from falling onto the track.

On November 17, 1954, after months of further questioning and examination by psychiatrists (who found him legally sane), Gustave was brought to trial in Digne, his birthplace. By then, however, he had totally withdrawn his confession. "All I know is, I'm innocent," he declared.



DOZENS of souvenir-hunting locals trampled over the scene of the murders for hours before police arrived, leaving detectives the hopeless task of trying to find clues (top, facing page). Dominici was brought to trial (above, left) after a gendarme got him to talk during a drinking session at his farm. Public prosecutor Calixte Rozan (above) accused the 77-year old farmer at the trial which began after 15 months of investigation. The first expert to examine the bodies at the scene, Dr. Henri Dragan, demonstrated with the murder weapon how he thought 10-year-old Elizabeth Drummond was viciously clubbed to death (left).

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"Gustave was lying." The American carbine was not his. Not only had he never owned an American army gun, but no American had ever stopped at his farm during the World War II period of liberation.

Gustave then withdrew his accusation against his father. But Clovis did not. For much of the time the trial was reduced to a shambles as the father and sons shouted abuse at each other, and commanded each other to tell the truth. In the end Gaston was found guilty on a majority vote and sentenced to death. As he was led away he moaned: "My sons, what swine they are."

Despite the verdict, however, there was a tangle of loose ends still remaining. The mystery of Elizabeth Drummond's unmarked feet had never been cleared up. Gaston's earlier "confession" that he had chased her and killed her immediately after her parents was clearly untrue.

She had been kept somewhere for some hours before she was killed; but where and by whom? And why had she been beaten to death and not shot? It looked as though she had been kept alive until dawn while someone decided what to do with her—and then not shot lest the sound of firing should be heard by people going early to work.

Troubled by such questions as these the authorities in Paris called for further investigations. But no new or significant evidence was forthcoming. Clovis Dominici, with an unexpected change of heart, wrote to the President of France, appealing for mercy for his father. He was a man, the son said, who "has suffered

greatly, who had no family life and who has worked hard to support his nine children . . . It is necessary that the law should punish him but I implore you for my sake, and that of all my family, not to let him go to the scaffold."

#### Important revelations

There was no reply and on March 8, 1955, Gaston's lawyers announced: "Gaston has important revelations to make. We insist that he is confronted once more with Gustave." On a judge's orders Gustave and his wife, Yvette, were taken down to Marseilles where the patri-

arch was being held. No official announcement was made, but it seemed that the "important revelations" were yet further accusations among the Dominicis—this time with old Gaston accusing Gustave and Yvette of being implicated in the murders.

Finally the uncertainties surrounding the case, and his age, saved Gaston Dominici from judicial death. His sentence was commuted to life imprisonment, and in 1960, at the age of 83, he was released. Since then the arguments as to who really was guilty have gone on and will continue.



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DESPITE protests, Dominici was released in 1960 and went home to his wife (right) and La Grande Terre (below). Did they know the murder secret?



# LEOPOLD AND LOEB



**THE CRAZY GENIUS AND  
THE DEBS' DELIGHT**

THE KILLERS . . . Leopold and Loeb listen intently as the prosecution demands the death sentence. Insert: Their victim, 14-year-old Robert Franks.



WHEN on May 31, 1924, the news that 18-year-old Richard "Dickie" Loeb—the son of a vice-president of the mail-order firm of Sear Roebuck & Co.—had confessed to the most distasteful and bizarre crime of the decade—the kidnapping and murder of 14-year-old Robert Franks, son of a millionaire businessman—many a young debutante shed bitter tears. Dick, irresistible, charming Dick, could not have committed the horrible deed. And if he had surely it must have been—couldn't the prosecutor understand this—under the nefarious influence of his closest friend and ally, the somewhat sinister Nathan "Babe" Leopold Jr.

#### Superman philosophy

Dick might have been a bit crazy, wild—but he was young and rich and you had to expect that. Leopold, aged 19, was another make of man altogether. He was somewhat peculiar. His head was always in books. The "Crazy Genius" his classmates called him on account of his prodigious intellectual prowess. Everybody was sure that Leopold—who believed in the German philosophy of the "superman"—must have masterminded the whole operation. But there was no gain-saying the confession. Richard Loeb and Nathan Leopold Jr., of Chicago's finest set, had without compunction taken the life of young Robert Franks.

The trial promised to be the most spectacular in Chicago's history. The protagonists were rich, young, handsome and very intelligent. The counsel for the defence, Clarence Darrow, had established a reputation as America's most provocative attorney, the scourge of prosecutors all over the land. "Attorney for the damned" they called him, but "what", the massed audience wondered, "could he do for Leopold and Loeb?" After all Mr. Crowe had a watertight case; the lads had spoken freely and without reserve—not the smallest detail of the crime remained hidden. There could be no doubt about the charge—murder in the first degree.

#### Heavily guarded

It was no surprise—when on July 21, 1924, the trial opened—that the spacious Criminal Court of Cook County was crowded with members of the press and fascinated onlookers. The defendants, heavily guarded by bailiffs and deputy sheriffs, sat with counsel at a table before the Bench. Except for a few whispered conversations with their attorneys, and when testifying, they maintained a stony-faced silence throughout the trial. Their relatives sat grief-stricken to the left of the bench. They had not yet recovered from the shock.

The first surprise of the trial came early. The charges were read out and the de-



fendants asked how they pleaded. "Guilty" was the reply. A murmur of astonishment ran through the crowd. Everyone had expected a plea of not guilty on an insanity defence.

Most taken aback was the State's Attorney Robert E. Crowe. The custom in American courts is that a plea of guilty on a capital charge is only entered as the result of an agreement with the prosecution that—in consideration of the saving of trouble and expense—the State will not demand the death penalty, but will be satisfied with a sentence of imprisonment. In this case no such agreement had been concluded—indeed the prosecution neither needed it nor was willing to make such a concession to the defence in view of the public opinion which had been greatly incensed by the brutality of the crime.

It was not without justice, however, that 67-year-old Darrow had achieved his great fame. He was a shrewd and capable judge of people and situations. He knew that if his clients pleaded not guilty they would have to face a jury. He knew that in the present climate of horror and revulsion—not to mention the more subtle influence of racial prejudice—the jury would be hostile. Equally inevitably the trial would end with a mandatory death sentence for his clients. On a plea of

ANGRY CROWDS surround the undertaker's where Robert Franks's mutilated body was taken. In their minds, there could be only one sentence: death.

guilty Darrow could hope to convince the judge, Chief Justice John B. Caverly, that there were mitigating circumstances, and thus save his clients from the gallows.

The State's Attorney was surprised, but not upset, by Darrow's move. He felt certain about his case. Here were prey that would not be snatched from the hanging rope. Over a period of eight days the State presented its case (under the law of Illinois the State must prove the crime even on a plea of guilty).

The most important prosecution witnesses were the defendants themselves. They had already confessed, eagerly and at length, to the State's Attorney. But the details of the crime had to be meticulously reiterated in the courtroom. "Now, Nathan," said Crowe in a fatherly manner, "I just want you to go on in your own way and tell us the story from the beginning, tell us the whole thing."

Leopold's high, reedy voice dominated the courtroom—where the silence was broken only by the occasional cough or gasp of horror. "We planned a general thing of this sort as long ago as last

November," began Leopold, hesitantly. The hesitancy, however, soon gave way to a kind of childish excitement as he launched into his story.

He told of the various plans discussed—should they kidnap the father of one of themselves?—and rejected. Finally, they agreed to leave the victim to chance, and began to lay their plans which could be adapted to any circumstances.

To this end Leopold stayed in the Morrison Hotel in Chicago checking in under the name of Morton D. Ballard, in which name he received mail, opened a banking account, and hired a car.

#### Bottle of chloroform

He and his confederate also bought a chisel with which to knock their victim unconscious, a rope with which to strangle him, some cloth for covering the body, a bottle of chloroform in case of emergency, and a bottle of hydrochloric acid with which to mutilate the victim's features.

At the same time Leopold used a stolen Underwood typewriter on which to write a letter informing the victim's father that his son had been kidnapped and demanding a ransom of \$10,000 in old bills. ("Any attempt to include new or marked bills will render the whole venture futile.")

The money was to be placed in a large cigar box and to be delivered according to the kidnappers' subsequent telephoned

instructions. If these were carefully followed and the police were not alerted, "We can assure you that your son will be safely returned to you within six hours after our receipt of the money."

On the afternoon of May 21, 1924, Leopold left his home in the hired car with Loeb in the passenger seat in search of a victim. Near the corner of 49th Street and Ellis Avenue they espied young Franks. They stopped and Loeb spoke to Franks. "Come in a minute," he said, "I want to ask you about a certain tennis racquet." Franks did as he was asked and got into the car. He was also asked if he minded driving around the block, and he said no.

"I stepped on the gas then," said Leopold, his voice becoming hoarse from the strain, "and Dick hit Bob on the head with the chisel and stuffed the cloth into his mouth. I think he must have died pretty soon afterwards."

By now Leopold was so wrapped up in the story of the murder that he did not notice Loeb grimace as he mentioned that it was Loeb, and not he, who had actually killed the young Franks. This was the only open point of dissension between the otherwise fast friends. (The friendship was quickly mended once they were jailed. Leopold approached Loeb in the prison yard extending his hand and said, "Dick, we've quarrelled before, and made up, let's forget and start again.")

Once Franks was dead, Leopold went

on, the car was driven to a piece of waste land known as Hegewich to the south of the city, where Leopold used to go bird-watching. There the unfortunate Franks's body was stripped, disfigured with acid and thrust into a drain where the murderers thought that it would be submerged and washed away. They then buried their victim's shoes and leather belt, threw away the chisel, destroyed the cloth and burned the rest of the boy's clothes in the cellar of the Loeb house. After that they mailed the ransom letter which was signed "George Johnson" to Mr. Jacob Franks, Robert's father.

#### Bloodstained car

Next morning the two killers met at the University, and together went to the Leopold house where the hired car had been left in the driveway. Finding some bloodstains inside the car, they set to work to remove them with a mixture of soap and water and petrol. Leopold's chauffeur, who was standing by, offered to help. But the lads hurriedly assured him that it was just some red wine they spilled the previous night, and that they would soon be finished cleaning it.

"After we had cleaned the car," Leopold continued, "we went to a phone booth and telephoned Mr. Franks. I did the talking because he might have recognized Dick's voice. Bobby was some kind of distant cousin of his. Well, I told Mr. Franks 'This is Johnson calling' and asked him to take the money to a certain drug store where he would find a letter waiting for him.

"Dick and I had talked a lot of how to do the pick-up, and we finally decided to ask the father to board a south-bound train and throw the box out of the window as it passed the Champion Manufacturing Company at 74th Street and the I.C. Railroad tracks. Anyways, that's what the letter told him to do but he never did it because by then the police had found the body and informed him of the fact.

"The story made a big stink in the papers but I didn't think that I could be connected with it in any way. At least not until the police came to the house with my spectacles. You know, I had completely forgotten about them. I must have dropped them out at Hegewich. In any case I did not think they were mine at first and invited the police to search my home.

**AT THE WHEEL . . .** Leopold in the car he and Loeb hired before they killed little Robert Franks. After they had bundled the disfigured body into a drain, they sent his father a ransom note (right) . . . under a false name. Divers were called in (opposite, top) to search for the typewriter used for the letter to Mr. Franks.



Radio Times picture



Dear Sir:

Proceed immediately to the back platform of the train. Watch the east side of the track. Have your package ready. Look for the first **LARGE, RED, BRICK** factory situated immediately adjoining the tracks on the east. On top of this factory is a large, black watertower with the word **CHAMPION** written on it. Wait until you have **COMPLETELY** passed the south end of the factory - count five very rapidly and then **IMMEDIATELY** throw the package as far east as you can.

Remember that this is your only chance to recover your son.

Yours truly,

GEORGE JOHNSON

MR JACOB FRANKS

Should anyone else find this note, please leave it alone. The letter is very important.

"When the search failed to reveal my spectacles I knew that the police had mine. I still didn't admit to anything until Mr. Crowe told me that Dick had confessed to the kidnapping. I guess there was no use hiding anything then."

In all 80 witnesses were produced and gave their damning evidence. Counsel for the defence sat, for the most part, impassively through the barrage of facts and testimonies. Their play would come later.

On July 30 the State rested its case. Now was to come the first major battle of the trial. Should evidence of mitigating circumstances be introduced into a trial where the defendants had pleaded guilty. It was a thorny legal question which had, so far, never been satisfactorily answered. Was there such a thing as degrees of mental responsibility short of insanity in the legal sense?

"No," claimed the State's Attorney. "there is nothing in law known as degrees of responsibility. You are either entirely responsible for all the consequences of your act, or you are not responsible at all."

The defence held otherwise. They could not argue insanity because of the guilty plea (under state law an insane person cannot be held responsible for his crimes), but they did argue that proof of mental

abnormality must be considered by the court in mitigation.

For three days the controversy raged. If the decision went to the State the defence could pack up its bags and Leopold and Loeb would soon find themselves marching to the gallows. The prospects were dim. Crowe knew he had public opinion behind him, and that the pressure was on the judge to sustain the prosecutor's objection. Chicago wanted blood retribution.

The decision came on the third day. In a statement read out to a hushed and tense courtroom Judge Caverly declared that "the court is of the opinion that it is his duty to hear any evidence that the defence may present, and it is not for the court to determine in advance what it may be."

#### Mental abnormality

Darrow had won the first round. But the real struggle was just about to begin. It was one thing to present evidence of mental abnormality, another to prove the truth of it. In anticipation of an insanity plea the prosecution had already lined up a battery of expert witnesses—including four well-known psychiatrists and neurologists—to counter whatever claims the defence would present.

For days thereafter the courtroom became the jousting ground for the two opposing groups of psychiatrists ("alienists" as they were then known). The air was thick with psychological terms—split personality, abnormal fantasies, paranoia, subconscious, terms which were new and had not entered the general vocabulary.

It reached the point that Crowe was to complain in his summation that: "I have heard so many big words and foreign words in this case that I sometimes thought that perhaps we were letting error creep into the record, so many strange, foreign words were being used here, and the constitution provides that these trials must be conducted in the English language."

#### Cunning and trickery

The leading "alienist" for the defence was Dr. William A. White, the Superintendent of St. Elizabeth's Hospital for Mental Diseases in Washington, D.C. (Crowe was to make much of the fact that the defence alienists were brought from the east, playing on the Mid-Westerner's association of the east with cunning and trickery, not quite honest-to-goodness American.)

The gist of Dr. White's and his associates' statements was that Leopold and Loeb, due to innate constitutional factors in combination with an unhealthy and restricted childhood, developed abnormal fantasy lives which increasingly substituted for normal emotional growth.



Loeb would often fantasize at being a famous criminal locked in jail and brutally beaten by his captors. "I was abused, but it was a pleasant thought," said Loeb.

Leopold, the super-intellect, decided at an early age to suppress all emotion. The defence alienists stated that he represented a "picture of a special abnormal type, the paranoid psychopathic personality". As soon as the defence witnesses had vacated the stand they were occupied by the prosecution's experts. The first witness for the prosecution to be called was Dr. Hugh T. Patrick, a Chicago neurologist.

After recounting the details of his interviews with Leopold and Loeb he was asked, "Have you an opinion from the observation and examination as detailed, as to whether the defendant, Richard Loeb, was suffering from any mental disease at that time?"

"Yes," he answered.

"What is that opinion?"

"My opinion is that he showed no evidence of mental disease," declared Dr. Patrick. He went on to state that "unless we assume that every man who commits a deliberate, cold-blooded, planned murder must, by that fact, be mentally diseased there was no evidence of any mental disease."

One by one the State's experts, prodded by Crowe, recited the litany of guilt. "Have you an opinion?" ... "Yes ... No evidence of mental disease."

Deadlock. Two equally distinguished groups of psychiatrists had given diametrically opposed views on the question of the mental health of Nathan Leopold and Richard Loeb. Their fates hung in the balance. To which side would the judge incline his ear? That, it seemed, would depend on the summation speeches.

The second and most decisive battle of the courtroom drama was about to begin. Speaking for the defence was the formidable Clarence Darrow whose silver tongue had more than once saved the day in apparently hopeless cases. But never before had guilt been so obvious and public pressure so demanding. To win a reprieve for his clients he would have to pull out all stops.

On his side he had the contested opinion of three expert witnesses. Against him stood State's Attorney, Robert Crowe, an able prosecutor with a reputation for sending criminals to their death; the natural revulsion evoked by the senseless crime, and a prejudice against the rich which coalesced into a public demand for a speedy resolution to the trial: resolution by hanging!

THE LAWYERS (above) argue out the vital question ... were the killers mentally ill? NO ... said State Attorney Robert Crowe (inset, above).

YES ... said the boys' lawyer Clarence Darrow, seen below hearing that his clients will not be executed. His brilliant mercy plea had succeeded.



Even some half-century after the trial, Clarence Darrow's masterly summation contains a magnetic, near hypnotic force. How much more powerful it was in that hot and dusty courtroom in the early days of August 1924, as the crowd sat spell-bound, listening to the master defend the lives of "these fated, despised outcasts".

All the tricks of oratory were brought to play, from biting irony of the assistant prosecuting attorney Joseph Savage, Darrow said, "did you pick him for his name or his ability ...?"; to cold logic, and finally, compassionate enjoiner. His knowledge of the law was vast and he let loose a pyrotechnical display of precedents for mercy in cases such as the present one.

#### Argument demolished

With quick, sharp jabs he demolished the State's argument that the boys had killed for money. They had killed simply for the experience. It was obvious that the boys were mentally ill, "that somewhere in the infinite processes that go to the making up of the boy or man something slipped".

But the main thrust of Darrow's argument was against capital punishment. "I hate killing and I hate it no matter how it is done," he declared. He asked the judge to consider why it was that capital punishment still existed in civilized countries and in reply to his own question he answered:

"You can only hang them because back of the law and back of justice and back of common instincts of man, and back of the human feeling for the young, is the hoarse voice of the mob which says 'Kill'."

For three days Darrow argued his case, leading the judge through all the emotions known to man—joy, hate, anger, and finally compassion. And with a final, passionate enjoiner to the judge to consider the future he rested his case.

"I know the future is on my side. Your Honor stands between the past and the future. You may hang these boys; you may hang them by the neck until they are dead. But in doing it you will turn your face toward the past. In doing it you are making it harder for every other boy who in ignorance and darkness must grope his way through the mazes which only childhood knows. In doing it you will make it harder for unborn children."

#### Vision, hope, and fate

"You may save them and make it easier for every child that some time may stand where these boys stand. You will make it easier for every human being with an aspiration and a vision and a hope and a fate. I am pleading for the future; I am pleading for a time when hatred and cruelty will not control the hearts of men. When we can learn by



PHOTO COURTESY

reason and judgment and understanding and faith that all life is worth saving, and that mercy is the highest attribute of man."

It might be expected that the State's Attorney, when he wound up for the prosecution, would have countered the defence lawyer's eloquence with a sober repetition of the facts, and calmly pointed out the weaknesses in his opponent's plea in mitigation. Instead Mr. Crowe attempted to rival Darrow's rhetorical extravagances in language which, however well it might have gone down with a jury, was quite unsuitable when addressing a judge.

Indeed, he got so far carried away in his concluding remarks that he implied that if any sentence short of death was

passed on the prisoners, it would be regarded by the general public as proof that the court had been bribed. Not unnaturally Judge Caverly took the strongest possible exception to this observation "as being a cowardly and dastardly assault upon the integrity of this court", and ordered it to be stricken from the record.

Mr. Crowe's folly, added to Clarence Darrow's brilliant summation, had their effect upon the judicial bench. When it came to the final moments in this extraordinary courtroom drama, Judge Caverly announced that chiefly because of the prisoners' youth he did not intend to sentence them to death. Instead they would both be imprisoned for life in the

Joliet penitentiary on the murder charge, with a recommendation to the authorities not to admit them to parole.

On the kidnapping charge they were both sentenced to 99 years, this sentence to operate even if—contrary to the judge's recommendation—they were eventually paroled on the murder conviction. The kidnapping sentence caused some surprise, since it meant that neither Leopold nor Loeb could ever be released except as the result of a special amnesty.

The trial requires a footnote. While Clarence Darrow added another triumph of advocacy to his already impressive list, Judge Caverly became the most abused judge in Chicago and had to be accorded police protection for long afterwards. Richard Loeb, who developed homosexual tendencies in Joliet, was killed as the result of a homosexual brawl with another inmate in the prison baths on January 28, 1936.

On the other hand, Nathan Leopold served 33½ years of his sentence, during which time he organized the library of the penitentiary, learned thirty-seven languages and became an authority on many subjects, finally offering himself as a guinea pig for medical research into a new anti-malaria drug. His excellent prison record earned him his freedom.

Leopold was released from Joliet in 1958 and went to Puerto Rico where he became a laboratory technician in a missionary hospital at a salary of ten dollars a month. He later entered the University of Puerto Rico and took a master's degree. He then worked for the San Juan Health Department, and in 1961 he married a doctor's widow. After a dozen years of useful service to the local community he died on August 19, 1971.

Thus, as Judge Caverly had endeavoured to make sure in passing sentence, were the ends of justice satisfied and the interests of society safeguarded.



**FREEDOM FIGHTER** William Byron talks to Leopold in jail (left) about his plea for parole. Top of page: Official prison pictures of Loeb (left) and Leopold.





The badge of J. Edgar Hoover's G-Men, members of a world-famous law-enforcement agency . . . its history bathed in controversy.

## THE CRIME BUSTERS

THE EARLY years of the twentieth century in the United States were years of greed and corruption. Men were in imminent danger of losing confidence in one another and in many sectors of public life honesty had become a factor of small account. Industrial combines blatantly ignored the antitrust laws and government officials, charged with the stewardship on the nation's behalf of valuable land in the West, lined their pockets by private and illegal selling.

Theodore Roosevelt, who came to the White House in September 1901 after the assassination of President McKinley, was outraged by the moral chaos he saw around him and determined to press with all his energy for a campaign against the lawbreakers.

As his instrument for investigation Roosevelt chose the Treasury Department's secret service, formed in the years

Roosevelt was dismayed but not defeated.

He therefore wrote an order to Attorney-General Charles J. Bonaparte—grand-nephew of Napoleon I of France—instructing him "to create an investigative service within the Department of Justice subject to no other department or bureau, and which will report to no one except the Attorney-General."

This, too, caused a new wave of anger. "If Anglo-Saxon civilization stands for anything," thundered Congressman Sherley of Kentucky, "it is for a government where the humblest citizen is safeguarded against the secret activities of the executive of the government. . . . Not vain did our forefathers read the history of Magna Carta and the Bill of Rights."

This time, however, the President would not yield. If Congress obstructed his purpose, he warned, it would have to bear the responsibility of encouraging crime and comforting the criminal.

As a result, on July 26, 1908, there came into being the Bureau of Investigation which, 27 years later, was to have the prefix "Federal" added to its title and was to take its place in history as the F.B.I.

In the beginning the new Bureau's contribution to law-enforcement, under its first chief, Stanley W. Finch, was restricted to a limited fringe area—mainly concerned with violations of laws forbidding the inter-state shipment of obscene books, contraceptives, and prize-fight films, and the transporting of intoxicating liquors into "dry" states.

#### Beating vice rings

But it was the White Slave Traffic Act, introduced in 1910 by Representative James Robert Mann, of Illinois, that gave the Bureau its first real opportunity to operate on a nationwide front and capture public attention.

The Mann Act, stopping prostitutes crossing state lines, arose from public anger over disclosures that, in ten years, a Chicago vice syndicate operated by Alphonse Dufour and his wife, Eva, had imported 20,000 women and girls into the United States to "stock" their brothels.

The first prominent personality to be arrested under the Act was Jack Johnson, the Negro heavyweight champion who won his laurels by knocking out Tommy Burns on Christmas Day, 1908, in Sydney, Australia. In 1912 he was convicted for persuading a girl, who later became his wife, to leave the brothel where she worked and go with him into another state.

Johnson, who was sentenced to one year—but released on bond pending appeal—disguised himself as a member of a Negro baseball team, fled to Canada,

then moved to Europe, and remained a fugitive for seven years. He returned home in 1920, surrendered to United States marshals and served his sentence.

America's entry into World War I, on April 6, 1917, brought new and larger-scale tasks to the Bureau, and necessitated the first major increase in the number of its agents—from the 300 of the pre-war years to 400. This small force was expected to keep watch on one million enemy aliens, protect top-security zones, including harbours, and pursue draft-evaders and army deserters.

It was not an era in which the Bureau covered itself in glory. Bureau chief Bruce Bielaski, who had succeeded Finch in 1912, accepted a Chicago businessman's suggestion that he should set up an organization of private citizen volunteers to aid the Bureau in its national security work.



Bielaski, however, found himself saddled with a giant that neither he, nor the government, were fully able to control. Within a few months this voluntary organization, the American Protective League, had recruited 250,000 members—many of whom took the law into their own hands in a mistaken sense of patriotism.

Encouraged by a hysterical spy mania, many League members who thought that they had acquired some kind of Federal status, turned their attention to the radical Industrial Workers of the World (the I.W.W.), whose leaders were opposed to the war.

They made illegal arrests, searched private homes without authority, and in Butte, Montana, six masked men kid-



SABOTAGE . . . German agents were blamed for the blast—caused by two million pounds of dynamite—which blasted part of New York harbour in 1916 (above and top). But the German ambassador, Count von Bernstorff (right) had been warned.

napped Frank Little, an I.W.W. leader, and hanged him from a railroad trestle set up as a makeshift gallows.

Such actions as those, and others by other vigilante groups, embarrassed the Bureau. Nevertheless, the situation was complicated by the fact that, whatever illegal action some groups might take, the Bureau was itself officially and legally obliged to move against the I.W.W. and similar groups.



Much of its other activity was centred upon massive drives against draft dodgers and deserters whose numbers, by the last year of the war, totalled at least 308,000.

With the assistance of American Protective League members, roundups were launched in a series of major cities and thousands of innocent citizens were arrested and thrown into jail for periods of up to 24 hours. Although all men between the ages of 21 and 31 were required by law to carry their draft classification cards with them, they, and others of all ages were rounded-up first and asked their draft status afterwards.

One writer recalled: "Some who were dragged into the Bureau's net were physically unfit, crippled, or hobbling on canes, like the 75-year-old man detained in a public square along with others held by the raiders for questioning."

President Wilson called for a full report and Attorney-General Thomas W. Gregory agreed that the raids were contrary to law, and that some Bureau agents had "acted out of an excess of zeal for the public good."

However, the Bureau's record in World War I, when many people in European countries behaved with no less a degree of hysteria, was by no means all black.



THE FALLEN HERO . . . they loved boxer Jack Johnson as he won bout after bout. But soon Jackson was to fall foul of the F.B.I. and America's vice laws.

following the Civil War to stamp out a large-scale "industry" devoted to counterfeiting United States currency. But this immediately excited the suspicions of Congressmen who, anxious to safeguard the rights of the individual and looking over their shoulders at some of Europe's more democratic practices, feared that a secret police force might soon arise.

They took swift action and Congress enacted a law prohibiting Treasury detectives from being employed by other government departments, including the Department of Justice.



Propaganda

Agents, for example, learned that on their departure after the United States declaration of war, the German officials in New York City had left a cache of important documents in the Swiss consulate building on Broadway.

One afternoon, after the Swiss employees had left their work for the day, the agents broke through a wall into the consulate and found boxes and trunks containing around a ton of papers sealed with the Imperial German seal.

The senior agent afterwards reported: "These records disclosed methods by which the enemy was enabled to secure information for delivering war materials and supplies by enemy ships under neutral flags. These papers also furnished the United States government with information as to the identity of methods of codes and enemy intelligence system activities in this country from the beginning of the war."

Even before the United States was involved in the war, British intelligence had warned of the interception of a German General Staff secret message to Count von Bernstorff in Washington which, in preparing him for the likelihood of hostilities, read:

"In United States sabotage can reach to all kinds of factories for war deliveries; railroads, dams, bridges must not be touched. Under no circumstances compromise our embassy."

In the early hours of July 30, 1916,

**LYNCH LAW . . .** a mob at Marion, Indiana, hang two men accused of murder. But J. Edgar Hoover (right) was soon to clean up America.

an explosion of two million pounds of dynamite wrecked Black Tom Island, the European shipment point and arsenal in New York Harbor.

Six months later a shell assembly plant in Kingsland, New Jersey, was blown up in a second sabotage attack and this, like the first, was financed out of the \$150,000,000 budget provided by von Bernstorff for action inside the U.S.

Through some inexplicable ineptitude, details of the intercepted German sabotage signal to von Bernstorff had not been passed to the Bureau of Investigation—which, when the bombing attacks came, was unprepared.

Despite the sabotage, known so-called "enemy aliens" were not as great a problem to the United States as had been expected. But war did add heavily to the Bureau's work.

John Lord O'Brien, a Republican from Buffalo, New York, was appointed as special assistant to the Attorney-General for war work. To head a unit in the enemy alien registration section, he chose a 22-year-old lawyer who had joined the Department of Justice on July 26, 1917.

This young man had received his master's degree in law from the George Washington University Law School, and



Gettman Archive

was a member of the District of Columbia Bar. His name was J. Edgar Hoover.

As yet the Bureau of Investigation was still very much in its formative stages, finding its way through the labyrinth of law-enforcement by trial and error. Thus far it had lacked a dominant personality at its head to guide it in positive directions and endow it with a true identity.

With the war's end its agents believed they might at last be free to concentrate upon domestic crime. But while the United States had been absorbed in helping to secure the downfall of the Kaiser's German Empire a new star—a red star—had been rising in far-off Russia.

Men and women with minds mesmerized by its glow were soon to tax the Bureau with fresh and exacting problems.

THE senior F.B.I. man stood by the wall map in the briefing room and addressed the agents seated in rows before him. "This is the hideout here," he said, turning and drawing a pencil ring around Lake Weir in Florida. "It's a white building on the shores of the lake. We'll surround the place and hope that we can get them to surrender. If not, we'll blast them into the open—and we're going to take plenty of guns with us!" A few hours later the agents flew from Chicago to join more of their colleagues at Lake Weir. All roads leading to the two-story white cottage were blocked. By seven a.m. on January 16, 1935, it was impossible for anyone unauthorized to get into the area—or to leave it.

The F.B.I. men's quarry—and the reason they were armed with rifles and machine guns—was not just a gangster in the Dillinger or Baby Face Nelson mould. In fact, it was not a man at all they were after. Hiding in the cottage was a 63-year-old woman with greying hair and a short, dumpy figure. Some people whom she had met—especially

bank managers and their assistants—had called her "a nice motherly-looking woman". But to J. Edgar Hoover, the Director of the F.B.I., she was "a mean, vicious beast of prey".

Together with her four sons—one of whom, Fred, was crouched in the cottage beside her—she had terrorized businessmen and bankers throughout the centre of the United States. The holdups planned by her, and carried out by her boys and their henchmen, had netted countless thousands of dollars for "Ma Barker and her Viper Brood", as the newspapers dubbed them. For 12 years she had queened it over the gangster underworld. Now she listened with contempt and impatience as Special Agent in Charge E. J. Connelley stepped forward and shouted: "Kate Barker—the house is surrounded!"

THE WOMAN who mothered, and led, an army of criminals . . . she died with her son, but it took machine-guns and gas-bombs to end the reign of Ma Barker. To J. Edgar Hoover, she was a "mean, vicious beast of prey . . . a she-wolf".

## ROGUES GALLERY MA BARKER



Come out one at a time with your hands raised and you won't be hurt."

Connelley then retreated and waited for an answer. He knew as much about Kate as she probably did herself, and had studied her criminal career and the life she had led before that. Born Arizona Donnie Clark near Springfield, Missouri, in 1872, she grew up among the simple, God-fearing farmers of the Ozark Mountains. She was 20 when she married a farm labourer called George Barker, and was known as a good Presbyterian and a conscientious wife and mother to him and their fine boys—Herman, Lloyd, Dock, and baby Fred.

By the time they had moved first to Webb City, Missouri, and then to Tulsa, the four Barker boys had turned into teenage hooligans in trouble with their neighbours and the police. Their mother would hear nothing wrong said against them by merchants who complained of being "roughed up and robbed", and at least twice she argued with the authorities and kept them out of court. In 1915 she and her family were living in a two-roomed shack near the Santa Fé railroad, and it was there that she set up her first "cooling off" service.

Any ex-convict looking for shelter, or any crook on the run, had only to contact Ma Barker in Tulsa and she would give them food, a bed, and hours of advice. She told them how and why they had failed in their criminal endeavours, and gave special "tuition" to a quietly-behaved outlaw called Al Spencer. He listened to every tip, every tactic she gave him, and in 1923 repaid his debt by holding up the crack passenger train, the *Katy Limited*, and seizing more than \$20,000 in Liberty bonds and cash.

From then on Ma agreed to plan and organize robberies and bank raids on a strict percentage basis. She would take no part in the coups herself, but would be the brains behind the big jobs. This was her life style throughout the 1920's, and by the end of the decade she was still in funds and still at liberty. However, this could not be said of her sons. Only Herman was not behind bars—and then he was gunned down by police after killing a traffic officer during a hold up in Newton, Kansas.

It was this final blow that turned Ma Barker from what Hoover called "an animal mother of the she-wolf type" into a "one-woman army against society". She spent years badgering parole boards until, in 1931, Freddie was at last released from Kansas State Penitentiary—

where he had been serving a five to ten year stretch for assault with intent to kill.

In her customary outfit of a drab, shapeless dress and floppy hat, Ma Barker looked no more than a fat middle-aged woman who was unable to get a man, money, or a home of her own. In fact, she had left George, her husband, lived with and abandoned a succession of lovers, and moved from rented house to rented house—always planning new robberies, and always one jump ahead of the police.

The Barker Gang, or the Holden-Keating Gang as it was also known, based itself in St. Paul, Minnesota, and made a point of concealing its sawed-off shotguns, automatic rifles and Thompson submachine guns in violin- and music-cases. Ma herself moved more into the foreground and even went as far as to visit a bank that was about to be robbed, talk with the manager about opening a "modest account with the money left me by my dear husband", and leave with every detail about the safes and security arrangements imprinted in her mind.

In the summer of 1932—after three leading members of the gang, Thomas Holden, Francis Keating, and Harvey Bailey, had been arrested while playing golf—Ma and Fred Barker went to earth at White Bear Lake, Minnesota. From

there they planned a \$1m. bank raid at Concordia, Kansas, and then went on the run again as Federal agents picked up their trail. The gang had now been reduced to four members—including Alvin Karpis, known by Hoover as "Public Rat Number One"—and, to Ma's disgust, their later activities concentrated upon kidnapping and not robbery.

It was after a second kidnapping job—that of Edward G. Bremer, president of the Commercial State Bank of Minneapolis—that Ma and Fred fled to Lake Weir and prepared to shoot it out with the ring of F.B.I. men. Her answer to agent Connelley's offer was to shout: "All right! Go ahead!" The next second a machine gun opened fire and Connelley scurried for cover. The battle that followed lasted for more than half an hour as the cottage was attacked by machine guns, rifles, and tear gas bombs.

At the end of that time there was silence. The agents closed in on the cottage, entered it, and discovered Fred and his mother lying dead in an upstairs room. Three bullets had entered Ma Barker's body, and her weapon, a .300 gas-operated automatic rifle, was still hot in her hands. She had lived for money and had died for it; in her pocketbook Connelley found more than \$10,000 in crisp, large denomination bills.



THE "BROOD" that robbed trains and raided banks were taught all they knew under the supervision of Ma Barker. She provided bed and board.

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